

CENTRAL INTELLIGENCE AGENCY

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Mr. James M. Frey
Assistant Director for Legislative
Reference
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Frey:

I have forwarded our proposed amendments to the CIA Retirement and Disability System to the Congress. There is now an additional amendment which I submit for your consideration.

We have encountered some situations where a married employee retires without electing a survivorship benefit for his spouse. Current law precludes the retiree from reversing his earlier decision. This leads to the situation whereby the surviving spouse is left without benefits solely by the prior decision of the employee spouse. It is my position that a change in the law is necessary to protect the interests of a surviving spouse.

It is important to note that the surviving spouse is not only denied financial security because of the election of the employee spouse not to provide for survivorship benefits, but also is denied the significant protection of the Federal Employee's Health Benefits Act. Only a spouse who is provided survivorship benefits is eligible for health benefits coverage. A decision by the annuitant not to provide survivorship benefits also denies his spouse this important protection.

It is my view that a surviving spouse should not be involuntarily subject to such unfortunate consequences. The spouse of an Agency employee suffers the difficult and sometimes hazardous assignments and circumstances of the employee. Therefore, I propose that the CIA Retirement and Disability System be amended to include a provision similar to that already in effect for the Foreign Service Retirement



and Disability System, but with some modification. We propose a mandatory minimum survivorship annuity of \$2,400 per month with the provision that such annuity will not be payable if the spouse signs an appropriate waiver of entitlement. In this way, the spouse has an opportunity to participate in the decision which determines the denial of survivor benefits.

This proposal was not included in our retirement package to avoid undue delay of its submission to the Congress. If you concur in the concept of our proposal, the specific amending language to effect this feature will be submitted later for approval as an amendment to the bill when it is considered in committee.

Sincerely,

W. E. Colby

W. E. Colby
Director

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